

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of)	CA 03-06
)	
AM PARTNERS, INC., and)	
Brian Takahashi,)	
)	
Respondents.)	
_____)	

CONCILIATION AGREEMENT

On or around December 2002, Robert Y. Watada, Executive Director for the Campaign Spending Commission ("Commission"), initiated an investigation of Respondents, AM Partners, Inc. ("Partners"), and Brian Takahashi. Business Registration Division records list Partners as doing business in architecture, planning and interior design, whose business address is 1164 Bishop Street, Suite 1000, Honolulu, Hawaii. Business registration records list Charles K.C. Lau as President and Brian Takahashi as Vice-President. The investigation was initiated pursuant to the express authority of section 11-193, Hawaii Revised Statutes ("HRS"), for a determination of whether the campaign spending law had been violated and a complaint would be submitted to the Commission.

NOW, THEREFORE, Partners and the Commission, having entered into conciliation and pursuant to section 11-216(g), HRS, do hereby agree as follows:

- I. That the Commission has jurisdiction over Respondents and the subject matter of this administrative action.
- II. That this Conciliation Agreement ("Agreement") and upon complete performance of the conditions stated herein has the effect of remedial or

corrective action taken by Respondents pursuant to section 11-216(g),
HRS.

- III. That Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- IV. That Respondents waive the right to be heard at a public hearing conducted under chapter 91, HRS, pursuant to section 11-228(b), HRS.
- V. That Respondents enter into this Agreement with the Commission on their own volition and with full knowledge and understanding.
- VI. That parties agree to the pertinent facts as follows:
 - 1. On or around December 2002, Robert Y. Watada, in his capacity as Executive Director of the Campaign Spending Commission, and upon information received through the disclosure statements of the Jeremy Harris campaign committee ("Harris"), initiated an investigation involving excess contributions in violation of section 11-204, HRS.
 - 2. Section 11-204(a)(1)(C), HRS, reads in part as follows: No person, other than a candidate for the candidate's own campaign, or any other entity shall make contributions to:...A candidate seeking nomination or election to a four-year nonstatewide office or to the candidate's committee in an aggregate amount greater than \$4,000 during an election period.
 - 3. Section 11-202, HRS reads in part as follows: No person shall make a contribution of the person's own money or property, or

money or property of another person to any candidate, party, or committee in connection with a nomination for election, or election, in any name other than the true name of the person who owns the money or who supplied the money or property.

4. During the period 1996 to 2002, Partners made contributions totaling \$15,800 to recent mayoral and gubernatorial candidates.
5. On or about September 1996, Edna Nakamoto, mother-in-law of Brian Takahashi, made a contribution of \$2,000 to the Harris campaign committee.
6. That for the 2000 election period Partners made contributions totaling \$3,200 to the Harris campaign committee.
7. That for the election period after the 2000 election, Partners made contributions totaling \$3,000 to the Harris campaign committee.
8. That Partners failed to file an organizational report pursuant to section 11-194, HRS.
9. That Partners failed to file any disclosure reports pursuant to sections 11-212 and 11-213, HRS.

VII. Settlement Terms

As final settlement of the matter and issues in Conciliation Agreement

#03-06 Partners understands and agrees to the following:

- (A) Partners agree to an assessment of **One Thousand Two Hundred Dollars (\$1,200)** pursuant to section 11-228, HRS.

(1) For violation of section 11-202, HRS, making a false name campaign contribution to the Harris campaign committee; and

(2) For violation of sections 11-194, 11-212 and 11-213, HRS, failure to file an organizational report and required disclosure reports.

(B) Partners agree to comply with campaign finance statutes on contributions and expenditures to candidate committees.

(C) Terms of payment of the assessment shall be by order of the Commission.

VIII. The Commission upon its own motion or a written request of anyone filing a complaint under section 11-216, HRS, may review compliance with the Agreement. If the Commission believes that the Agreement has been violated, it may institute administrative proceedings or a civil action in the Circuit Court of the First Circuit pursuant to section 11-228(c), HRS.

IX. This Agreement shall become effective as of the date that all parties have signed and the Commission has approved the entire Agreement.

X. This Agreement constitutes the entire agreement between the Commission and Partners on the matters raised herein, and no other statement, promise, or agreement, either in writing or oral, not contained in this Agreement made by either party or by agents of either party shall be enforceable.

XI. This Agreement, unless violated, shall be a complete bar to any further action by the Commission with respect to the violations at issue in this matter.

FOR THE COMMISSION:

Robert Y. Watada, Executive Director

By: _____

Date: _____

FOR THE RESPONDENT(S)

Brian Takahashi

By: _____

(Name)

(Title)

Date: _____